

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION****ENTERED**

October 12, 2022

Nathan Ochsner, Clerk

)	
In re:)	Chapter 11
)	
FREE SPEECH SYSTEMS LLC,)	Case No. 22-60043
)	
Debtor.)	
)	

STIPULATION AND AGREED ORDER

Free Speech Systems, LLC (“Debtor”) initiated the bankruptcy case on July 29, 2022 via the filing of a voluntary chapter 11 petition. Alex E. Jones is the sole member of the Debtor (“Jones”). Melissa Haselden is the duly qualified and acting Subchapter V Trustee (the “Trustee”). PQPR Holdings Limited, LLC asserts a claim secured by substantially all assets of the Debtor (“PQPR”). Neil Heslin, Scarlett Lewis, Leonard Pozner, Veronique De La Rosa, and Marcel Fontaine (the “Texas Plaintiffs”) and David Wheeler, Francine Wheeler, Jacqueline Barden, Mark Barden, Nicole Hockley, Ian Hockley, Jennifer Hensel, Donna Soto, Carlee Soto Parisi, Carlos M. Soto, Jillian Soto-Marino, William Aldenberg, William Sherlach, and Robert Parker (the “Connecticut Plaintiffs”) (together the “Sandy Hook Families”). The Debtor, Jones, the Trustee, PQPR, and the Sandy Hook Families are referred to as the “Parties”.

Upon the request and agreement of the Parties, it is ORDERED THAT.

1. Judge Marvin Isgur is appointed as a mediator in this case. At all times in the performance of his mediation duties, Judge Isgur will be acting in his official capacity as a United States Bankruptcy Judge, with all of the privileges and immunities of a United States Bankruptcy Judge.
2. The Court adopts Section S of the Procedures for Complex Cases in the Southern District of Texas (Effective August 1, 2021).

3. Effects of Mediation on Pending Matters. Unless otherwise ordered by the Court, the assignment to mediation does not delay or stay discovery, pretrial hearing dates or trial schedules.

4. Time and Place of Mediation. The mediator will schedule a time and place for the mediation and any pre-mediation conferences.

5. Submission Materials. Each party must submit directly to the mediator such materials (the “Submission”) in form and content as the mediator directs. Prior to the mediation, the mediator may talk with the participants to determine what materials would be helpful. The Submission must not be filed with the Court.

6. Protection of Information Disclosed at Mediation. The mediator and the participants in mediation are prohibited from divulging, outside of the mediation, any oral or written information disclosed by the parties in the course of the mediation. No person may rely on or introduce as evidence in any arbitral, judicial or other proceeding, evidence pertaining to any aspect of the mediation effort, including but not limited to: (A) views expressed or suggestions made by a party with respect to a possible settlement of the dispute; (B) the fact that another party had or had not indicated willingness to accept a proposal for settlement made by the mediator, (C) proposals made or views expressed by the mediator; (D) statements or admissions made by a party in the course of the mediation; and (E) documents prepared for the purpose of, in the course of, or pursuant to the mediation. Without limiting the foregoing, the parties are bound by (i) FED. R. EVID. 408, and (ii) any applicable federal or state statute, rule, common law or judicial precedent relating to the privileged nature of settlement discussions, mediations or other alternative dispute resolution procedures. Information otherwise discoverable or admissible in evidence does not become exempt from discovery, or inadmissible in evidence, merely by being used by a party in the mediation.

7. Discovery from Mediator. The mediator may not be compelled to disclose to the Court or to any person any of the records, reports, summaries, notes, communications or other documents received or made by the mediator while serving in such capacity. The mediator may not testify or be compelled to testify regarding the mediation in connection with any arbitral, judicial or other proceeding. The mediator will not be a necessary party in any proceedings relating to the mediation. Nothing contained in this paragraph prevents the mediator from reporting (i) the status, but not the substance, of the mediation effort to the Court; or (ii) whether a party failed to participate in good faith in the mediation.

8. Protection of Proprietary Information. The parties, the mediator and all mediation participants shall protect proprietary information.

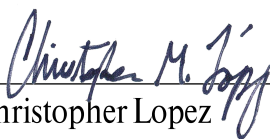
9. Preservation of Privileges. The disclosure by a party of privileged information to the mediator does not waive or otherwise adversely affect the privileged nature of the information.

10. Service of Process. No party may be served with a summons, subpoena, notice or other pleading during the mediation or at the location where the mediation is occurring.

11. At least one representative with full settlement authority for each of Parties shall attend the mediation to occur with Judge Isgur at a date agreed upon by the Judge Isgur and the Parties.

12. The scope, location, time and procedures for the mediation will be determined by Judge Isgur, following such consultation with the Parties as he deems appropriate.

Signed: October 12, 2022



Christopher Lopez
United States Bankruptcy Judge

AGREED

/s/ Shelby A. Jordan

Shelby A. Jordan (TX State Bar # 11016700)
JORDAN & ORTIZ, P.C.
500 North Shoreline Blvd, Suite 900
Corpus Christi, Texas 78401
Telephone: (361) 884-5678
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Counsel for Alex E. Jones

/s/ Raymond W. Battaglia

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Counsel for Free Speech Systems, LLC

/s/ Stephen W. Lemmon

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Counsel for PQPR Holdings Limited, LLC

/s/ Elizabeth Freeman

Elizabeth Freeman (TX State Bar # 24009222)
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Federal I.D. 24564
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Counsel for Melissa Haselden, subchapter V trustee

(Signatures Continued on Next Page)

/s/ Jarrod B. Martin

Jarrod B. Martin (TX State Bar # 24070221)

CHAMBERLAIN HRDLICKA

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**Counsel for Neil Heslin, Scarlett Lewis, Leonard Pozner,
Veronique De La Rosa, and Marcel Fontaine**

/s/ Ryan E. Chapple

Ryan E. Chapple (TX State Bar # 24036354)

CAIN & SKARNULIS PLLC

303 Colorado Street, Suite 2850

Austin, Texas 78701

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Email: rchapple@cstrial.com

**Counsel for David Wheeler, Francine Wheeler,
Jacqueline Barden, Mark Barden, Nicole Hockley,
Ian Hockley, Jennifer Hensel, Donna Soto, Carlee Soto Parisi,
Carlos M. Soto, Jillian Soto-Marino, William Aldenberg,
William Sherlach, and Robert Parker**

United States Bankruptcy Court
Southern District of Texas

In re:
Free Speech Systems LLC
Debtor

Case No. 22-60043-cml
Chapter 11

CERTIFICATE OF NOTICE

District/off: 0541-4
Date Rcvd: Oct 12, 2022

User: ADIuser
Form ID: pdf002

Page 1 of 3
Total Noticed: 15

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
^	Addresses marked '^' were sent via mandatory electronic bankruptcy noticing pursuant to Fed. R. Bank. P. 9036.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 14, 2022:

Recip ID	Recipient Name and Address
db	+ Free Speech Systems LLC, 3019 Alvin Devane Blvd. STE 300, Austin, TX 78741-7417
aty	Kyung Shik Lee, Shannon & Lee LLP, Pennzoil Place-Suite 1300, HOUSTON, TX 77027, UNITED STATES
aty	+ Shannon & Lee LLP, 700 Milam Street, STE 1300, Houston, TX 77002-2736
intp	+ Alex E Jones, c/o Jordan & Ortiz PC, 500 N Shoreline Blvd, Ste 900, Corpus Christi, TX 78401-0658
cr	+ David Wheeler, et al., c/o Cain & Skarnulis PLLC, 303 Colorado Street, Suite 2850, Austin, TX 78701-4653
cr	+ Leonard Pozner, c/o McDowell Hetherington LLP, Attention: Avi Moshenberg, 1001 Fannin Street, Suite 2700 Houston, TX 77002-6774
cr	+ Marcel Fontaine, c/o McDowell Hetherington LLP, Attention: Avi Moshenberg, 1001 Fannin, Suite 2700 Houston, TX 77002-6774
cr	+ Neil Heslin, c/o McDowell Hetherington LLP, Attention: Avi Moshenberg, 1001 Fannin Street, Suite 2700 Houston, TX 77002-6774
cr	+ Scarlett Lewis, c/o McDowell Hetherington LLP, Attention: Avi Moshenberg, 1001 Fannin Street, Suite 2700 Houston, TX 77002-6774
cr	+ Security Bank of Crawford, P.O. BOx 90, Crawford, Tx 76638-0090
cr	+ Travis County, c/o Jason A. Starks, P.O. Box 1748, Austin, TX 78767-1748
cr	+ Veronique De La Rosa, c/o McDowell Hetherington LLP, Attention: Avi Moshenberg, 1001 Fannin Street, Suite 2700 Houston, TX 77002-6774

TOTAL: 12

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/PDF: acg.acg.ebn@aisinfo.com	Oct 12 2022 20:16:48	Ally Bank, c/o AIS Portfolio Services, LLC, 4515 N Santa Fe Ave. Dept. APS, Oklahoma City, OK 73118-7901
cr	+ Email/Text: lemaster@slollp.com	Oct 12 2022 20:11:00	PQPR Holdings Limited, LLC, c/o Streusand Landon Ozburn & Lemmon LLP, attn: Stephen Lemmon, 1801 S. Mopac Expressway, Suite 320, Austin, TX 78746-9817
cr	^ MEBN	Oct 12 2022 20:09:28	Texas Comptroller of Public Accounts, Revenue Acco, Christopher J. Dylla, P.O. Box 12548, Austin, TX 78711-2548

TOTAL: 3

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		ADP TotalSource, Inc.
intp		David Ross Jones
op		Marc Schwartz
op		Marc Schwartz
op		Schwartz Associates, LLC
op		Schwartz and Associates, LLC
intp		Shelby A Jordan

TOTAL: 7 Undeliverable, 0 Duplicate, 0 Out of date forwarding address

District/off: 0541-4
Date Rcvd: Oct 12, 2022

User: ADIuser
Form ID: pdf002

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NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 14, 2022

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 12, 2022 at the address(es) listed below:

Name	Email Address
Avi Moshenberg	on behalf of Creditor Neil Heslin avi.moshenberg@mhllp.com patricia.flores@mhllp.com
Avi Moshenberg	on behalf of Creditor Scarlett Lewis avi.moshenberg@mhllp.com patricia.flores@mhllp.com
Avi Moshenberg	on behalf of Creditor Leonard Pozner avi.moshenberg@mhllp.com patricia.flores@mhllp.com
Avi Moshenberg	on behalf of Creditor Marcel Fontaine avi.moshenberg@mhllp.com patricia.flores@mhllp.com
Avi Moshenberg	on behalf of Creditor Veronique De La Rosa avi.moshenberg@mhllp.com patricia.flores@mhllp.com
Christopher Dylla	on behalf of Creditor Texas Comptroller of Public Accounts Revenue Accounting Division bk-cdylla@oag.texas.gov, Sherri.Simpson@oag.texas.gov
Elizabeth Carol Freeman	on behalf of Trustee Melissa A Haselden efreeman@jw.com kgradney@jw.com;dtrevino@jw.com;jpupo@jw.com;JacksonWalkerLLP@jubileeek.net
Ha Minh Nguyen	on behalf of U.S. Trustee US Trustee ha.nguyen@usdoj.gov
Jarrod B. Martin	on behalf of Creditor Neil Heslin jarrod.martin@chamberlainlaw.com Lara.Coleman@chamberlainlaw.com;atty_jmartin@bluestylus.com;ginger.davis@chamberlainlaw.com
Jarrod B. Martin	on behalf of Creditor Marcel Fontaine jarrod.martin@chamberlainlaw.com Lara.Coleman@chamberlainlaw.com;atty_jmartin@bluestylus.com;ginger.davis@chamberlainlaw.com
Jarrod B. Martin	on behalf of Creditor Leonard Pozner jarrod.martin@chamberlainlaw.com Lara.Coleman@chamberlainlaw.com;atty_jmartin@bluestylus.com;ginger.davis@chamberlainlaw.com
Jarrod B. Martin	on behalf of Creditor Veronique De La Rosa jarrod.martin@chamberlainlaw.com Lara.Coleman@chamberlainlaw.com;atty_jmartin@bluestylus.com;ginger.davis@chamberlainlaw.com
Jarrod B. Martin	on behalf of Creditor Scarlett Lewis jarrod.martin@chamberlainlaw.com Lara.Coleman@chamberlainlaw.com;atty_jmartin@bluestylus.com;ginger.davis@chamberlainlaw.com
Jason Starks	on behalf of Creditor Travis County bkecf@traviscountytexas.gov
Jayson B. Ruff	on behalf of U.S. Trustee US Trustee jayson.b.ruff@usdoj.gov
John D Malone	on behalf of Creditor Security Bank of Crawford myra@johnmalonepc.com myra@johnmalonepc.com

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Joseph S.U. Bodoff	on behalf of Creditor ADP TotalSource Inc. jbodoff@rubinrudman.com
Kyung Shik Lee	on behalf of Debtor Free Speech Systems LLC kslee50@gmail.com Courtnotices@kasowitz.com
Kyung Shik Lee	on behalf of Attorney Kyung Shik Lee kslee50@gmail.com Courtnotices@kasowitz.com
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Michael P Ridulfo	on behalf of Other Prof. Marc Schwartz mridulfo@krcl.com rcoles@krcl.com
Michael P Ridulfo	on behalf of Other Prof. Schwartz Associates LLC mridulfo@krcl.com, rcoles@krcl.com
R. J. Shannon	on behalf of Debtor Free Speech Systems LLC rshannon@shannonpllc.com rshannon@shannonleelp.com;7044075420@filings.docketbird.com
Randy W Williams	on behalf of Creditor David Wheeler et al. rww@bymanlaw.com, rw13@trustesolutions.com;rw13@trustesolutions.net;rw11@trustesolutions.net;rww.trustee1@gmail.com
Raymond William Battaglia	on behalf of Debtor Free Speech Systems LLC rbattagliaw@outlook.com rwbresolve@gmail.com
Richard A. Cochrane	on behalf of Creditor Leonard Pozner rcocrane@akingump.com jlangmack@akingump.com
Richard A. Cochrane	on behalf of Creditor Veronique De La Rosa rcocrane@akingump.com jlangmack@akingump.com
Richard A. Cochrane	on behalf of Creditor Scarlett Lewis rcocrane@akingump.com jlangmack@akingump.com
Richard A. Cochrane	on behalf of Creditor Marcel Fontaine rcocrane@akingump.com jlangmack@akingump.com
Richard A. Cochrane	on behalf of Creditor David Wheeler et al. rcocrane@akingump.com, jlangmack@akingump.com
Richard A. Cochrane	on behalf of Creditor Neil Heslin rcocrane@akingump.com jlangmack@akingump.com
Ryan E Chapple	on behalf of Creditor David Wheeler et al. rchapple@cstrial.com, apretnice@cstrial.com
Shelby A Jordan	on behalf of Interested Party Alex E Jones cmadden@jhwclaw.com
Shelby A Jordan	on behalf of Interested Party Shelby A Jordan cmadden@jhwclaw.com
Stephen A Roberts	on behalf of Interested Party David Ross Jones sroberts@srobertslawfirm.com 1222805420@filings.docketbird.com
Stephen Wayne Lemmon	on behalf of Creditor PQPR Holdings Limited LLC lemmon@slollp.com, mates@slollp.com
US Trustee	USTPRegion07.HU.ECF@USDOJ.GOV

TOTAL: 39